REMARKS

Claims 21-25, 27 and 28-31 are pending. Claim 20 has been cancelled without prejudice or disclaimer in favor of new claim 31.

I.   35 USC § 112

Claims 20-25 and 27-30 stand rejected under 35 USC § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim that which is considered the invention. The Office Action asserts the claims is unclear because the language does not clarify if a process or a product is being claimed. In response, the claims have been amended to recite a product, e.g., "a floor" (as supported in the paragraph bridging pages 1 and 2 of the present specification). While the Examiner is correct that the previous claims recited "product-by-process" features, Applicant has repeatedly explained how the process features produce *structurally* different products.

The Office Action also asserts claims 24 and 25 are unclear as "the polymeric material" lacks proper antecedent basis. In response, claim 24 has been amended to depend from claim 21, and Applicant respectfully submits that claim 25 did not include the offending language. Reconsideration is therefore respectfully requested.

II.   35 USC § 102

Claims 20-25 and 27-30 stand rejected under 35 USC § 102(e) as allegedly being anticipated by Serino et al. (U.S. Patent No. 6,357,197). The Office Action asserts that Serino et al. expressly teaches each feature recited by the rejected claims. Applicants respectfully disagree. Reconsideration is respectfully requested.

As previously discussed, as Serino et al does not teach, suggest or disclose a broached portion, and specifically does not teach the structural features as claimed, i.e., the angles, the geometry and being burr-free, Applicant respectfully submits that this reference does not anticipate (or otherwise render unpatentable) the subject matter of the present claims. Similarly, as Serino et al. neither teaches nor suggests that the resulting structure is "burr-free" (claim 29)

and as Serino et al. does not teaches, suggest or otherwise show a geometry (claim 30) or angles (claims 28 and 31) not capable of being formed by milling, all claims are patentable over this reference.

The Office Action asserts the product-by-process steps "are not germane to the patentability of the end resultant product *in the absence of any clear patentably distinguishing structure of the end resultant product*" (emphasis added). Applicants respectfully directs the Examiner's attention to the language of the claims themselves. Specifically, claim 31 recites "the broached portion having an angle sharper than possible by milling;" claim 28 recites "having an angle not possible by milling and the tongue is inserted into the groove;" claim 29 recites "a burr-free broached portion;" and claim 30 recites "having a geometry not capable of being formed by milling." Thus, each of the independent claims specifically defines a *structural* feature neither found in or suggested by Serino et al. As the Office Action cannot point to any teaching or suggestion to modify the structure of Serino et al. to include these *structural* features, the presence of such features render the present claims patentable over this reference.

Moreover, the present claims have been amended to recite "a floor." As Serino et al. relates to window frames and doors, and does not mention floors at all, this reference cannot teach or suggest the structure as claimed.

Reconsideration is respectfully requested.

III.   Conclusion

In view of the above, it is respectfully submitted that all objections and rejections are

overcome. Thus, a Notice of Allowance is respectfully requested. If any fee is necessary to

make this paper timely and/or complete, it may be deduced from deposit account no. 19-4375.

Respectfully submitted,

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